IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1718 of 1997

Transport & Dock Workers' Union ...Petitioner.

Versus

ONGC Ltd., & 13 Ors. ...Respondents.

....

Ms.Jean Cox with Firdose Moosa i/b. Mr.Prakash Mahadik, Advocate for the Petitioner.
Mr.Bhalwal i/b. Vyas & Bhalwal, Advocate for Respondent No.1.
Mr.N.D.Sharma, Counsel for Union of India.

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CORAM : **DR.S.RADHAKRISHNAN AND SMT.V.K.TAHILRAMANI,JJ.**

DATED : **NOVEMBER 23, 2006.**

P.C.:

1. Heard the learned counsel for the petitioner and the respondents. In the instant case the Appropriate Government would be the Central Government. In view thereof, the petitioner is permitted to make a representation to the said Appropriate Government viz. Central Government, within a period of four weeks from today. It is made clear that the interim reliefs granted in the above Petition to continue till the Central Government decides and the decision is received by the petitioner, and for a further period of four weeks in the event the Central Government refuses to refer the matter for adjudication.

2. It is also made clear that the Central Government shall decide the representation of the petitioner within a period of 16 weeks from the date of receipt of representation. Needless to state that the Central Government shall take into account the case of respondent-employer while deciding the representation made by the petitioner.

3. In the event, the Central Government refers the dispute for a reference to the Industrial Court, the interim reliefs granted in the Petition, shall be continued for a period of four weeks after the Industrial Court decides the interim application. The Industrial Tribunal to decide the interim application as expeditiously as possible preferably within a period of ten weeks from the date of reference.

4. With the above observations, writ petition stands disposed of.

[DR.S.RADHAKRISHNAN,J.]

[SMT.V.K.TAHILRAMANI,J.]